



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Alan Brian Fabian

FEB 27 2009

**USP Lewisburg
P.O. Box 2000
Lewisburg, PA 17837**

Dear Mr. Fabian:

The Federal Election Commission ("Commission"), the regulatory agency that administers and enforces the Federal Election Campaign Act of 1971, as amended ("the Act"), has ascertained information in the normal course of carrying out its supervisory responsibilities indicating that you may have violated the Act. The Commission has received information suggesting that you caused Strategic Partners International ("SPI") to make federal political contributions to American Patriot PAC ("PAC"), for which you served as treasurer, in the names of several individuals. Specifically, the information suggests that SPI made contributions to the PAC in the names of Mike Kennedy, John Gaffigan, Cheryl Spencer, Lynn Farrow, and yourself in the amount of \$5,000 each. The PAC received each of these contributions on June 7, 2004, according to the PAC's disclosure report filed with the Commission on July 15, 2004. The Act prohibits corporate contributions and contributions made in the name of another person. See Title 2 of the United States Code ("2 U.S.C.") sections 441b(a) and 441f. The Act further requires committee treasurers to accurately disclose the source of contributions on disclosure reports to the Commission. See 2 U.S.C. §§ 434(a) and 434(b)(3)(A).

The Commission's Office of the General Counsel is reviewing this information in connection with making a recommendation to the Commission as to whether there is reason to believe that you violated the Act, an initial determination necessary to initiate an investigation into whether a violation has, in fact, occurred. See 2 U.S.C. § 437g(a)(2). Before the General Counsel makes such a recommendation, you may provide in writing any factual or legal materials that you believe are relevant to this matter. Your submission, if you choose to make one, must be submitted within 15 days of receipt of this letter and addressed to the General Counsel's Office. After 15 days, the General Counsel's Office will present its recommendations to the Commission. Any response submitted by you will be taken into account in these recommendations. The Commission will then consider the recommendations and, if the Commission finds that there is reason to believe you violated the Act, initiate an enforcement matter regarding the corporate contributions and contributions in the name of another.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by legal counsel in this matter, please advise the


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Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Kasey Morgenheim, the attorney handling this matter, at (202) 694-1650 or toll free at 1-800-424-9530. Information is also available on the Commission's web site at www.fec.gov.

Sincerely,

Thomasenia P. Duncan
General Counsel

BY: 
Ann Marie Terzaken
Associate General Counsel for
Enforcement

Enclosure

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